

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

FRANK DEGIFICO,)	
)	
Plaintiff)	
)	
v.)	Civil No. 05-188-P-W
)	
TIME WARNER, et al.,)	
)	
Defendants)	

RECOMMENDED DECISION

On October 3, 2005, this Court issued an Order denying plaintiff's application to proceed *in forma pauperis* because it was not properly completed nor signed under penalty of perjury. Plaintiff was given until October 17, 2005, to submit a properly completed *in forma pauperis* application. To date the court has received no correspondence from plaintiff. Therefore, I recommend that the complaint be dismissed in its entirety for plaintiff's failure to file a properly completed application to proceed *in forma pauperis* or pay the \$250.00 filing fee.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1993) for which *de novo* review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

Dated October 19, 2005

/s/ Margaret J. Kravchuk
U.S. Magistrate Judge